



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

WILFREDO GARCIA SORIA (1),

Defendant.

Criminal Case No. 11CR1144-JAH

**FINDINGS OF FACT AND ORDER
REGARDING WAIVER OF
DETENTION PENDING TRIAL**

In accordance with § 3142(f) of the Bail Reform Act of 1984 (18 U.S.C. § 3141 et seq.), a detention hearing was scheduled for May 10, 2011, to determine whether WILFREDO GARCIA SORIA ("Defendant") should be held in custody pending trial in the Southern District of California based on the Indictment for the criminal case entitled United States v. Soria, et al, Criminal Case No. 11CR1144-JAH. Assistant U.S. Attorney Emily Keifer appeared on behalf of the United States and Michelle Betancourt, Esq., Federal Defenders of San Diego, Inc., appeared on behalf of Defendant.

At the hearing on May 10, 2011, Defendant knowingly and voluntarily waived his right, on the record and through counsel, to the setting of bail and a detention hearing. Based on that waiver, the Court orders that Defendant be detained pending trial, and if convicted, sentencing in these matters, without prejudice or waiver of Defendant's right to later apply for bail and conditions of release, and without prejudice or a waiver of the right of the United States to seek detention in the event of an application by Defendant for such relief.

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ORDER

IT IS HEREBY ORDERED that Defendant be detained pending trial in the Southern District of California based on the Indictment in the criminal case entitled United States v. Soria, et al, Criminal Case No. 11CR1144-JAH, and if convicted, sentencing in these matters.

IT IS FURTHER ORDERED that Defendant be committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. Defendants shall be afforded reasonable opportunity for private consultation with counsel.

While in custody, upon order of a court of the United States or upon the request of an attorney for the United States, the person in charge of the correctional facility shall deliver Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding or any other appearance stipulated to by defense and government counsel.

This order is made without prejudice to modification by this Court and without prejudice to the Defendant's exercise of his right to bail and a detention hearing at a future date.

IT IS SO ORDERED.

DATED: 5/12/11



United States Magistrate Judge

Agreed by:

/s/ Michelle Betancourt
MICHELLE BETANCOURT, ESQ.
Federal Defenders of San Diego, Inc.

Prepared by:

/s/ Paul L. Starita
PAUL L. STARITA
Assistant U.S. Attorney